HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G. BHAVANI PRASAD

WRIT PETITION NO. 639 OF 2006

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Between:

M/s. Mount Paradise Restaurant & Bar,

H.No. 1-7-228, 1st Floor, United Complex,

Paradise Circle, Secunderabad,

rep. by its Managing Partner Mr. P. Agaiah,

S/o Balaiah, Age 51 years

……Petitioner

And

The Commissioner of Police,

Hyderabad City, Basheerbagh,

Hyderabad and four others.

……Respondents

:: JUDGMENT ::

Counsel for the Petitioner : Shri D. Prakash Reddy, Senior

Advocate assisted by

Shri Amarnath Goud, Advocate

Counsel for the Respondents : Government Pleader for

Home

Dated: 01-03-2006

Per G.S. SINGHVI, CJ

In this petition, the petitioner has made the following substantive prayers:

> "It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring order in No. L&O/A3/264/2002, Dt.04-01-2006 of the first respondent in not permitting the petitioner to conduct the orchestra/live band with male & female singers in the licenced premises is contrary to the orders passed by the Hon'ble Supreme Court of India in SLP. No.1857 & 1858 of 2000 and set aside the same and direct the respondents not to interfere with the petitioner's business in conducting the orchestra/live band with male & female singers in the licenced premises and pass such other order or orders as may deem fit and proper in the circumstances of the case.
>
> It is also just and necessary that this Hon'ble Court may

be pleased to direct the respondents not to interfere with the petitioner's business in conducting the orchestra/live band with male & female singers in the licenced premises pending disposal of the above writ petition and pass such other order or orders as may deem fit and proper in the circumstances of the case".

Learned counsel for the parties agree that this petition may be disposed of in terms of order passed today in Writ
Petition No. 26064 of 2005 except the part relating to public interest litigation. Ordered accordingly.

As a sequel to the disposal of the writ petition, the miscellaneous petition is disposed of as infructuous.

The detailed order passed in Writ Petition No. 26064 of 2005 shall be read as part of this order.

G.S. SINGHVI, CJ

G. BHAVANI PRASAD, J

01-03-2006

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